

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**EARL RICHARDSON,**

**Plaintiff,**

**-v-**

**INDUSTRIAL COMMISSION OF  
OHIO, et al.,**

**Defendants.**

**Case No. C-3:09-cv-455**

**Judge Thomas M. Rose  
Magistrate Judge Michael R. Merz**

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**ENTRY AND ORDER OVERRULING RICHARDSON'S OBJECTIONS  
(Doc. #35) TO THE MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATIONS; ADOPTING THE MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATIONS (Doc. #34) IN ITS ENTIRETY;  
AND DENYING RICHARDSON'S MOTION FOR AN ORDER TO  
RELEASE COMPENSATION AND BENEFITS**

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Pro Se Plaintiff Earl Richardson ("Richardson") has filed a Motion for an Order To Release Compensation and Benefits. (Doc. #33.) On September 3, 2013, Magistrate Judge Michael R. Merz issued a Report and Recommendations recommending that this Motion be denied for reasons already given in the companion case, *Richardson v. Dayton Public Schools*, Case No. 3:10-cv-028, at Docs. #50 and #52. Richardson subsequently objected (doc. #35) and the time has run and no Defendant has responded to Richardson's Objection. This matter is, therefore, ripe for decision.

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Upon said review, the Court finds that Richardson's Objections to the Magistrate Judge's Report and Recommendations are not well-taken, and they are hereby OVERRULED. The Magistrate Judge's Report and

Recommendations is adopted in its entirety. Richardson's Motion for an Order To Release Compensation and Benefits (doc. #33) is denied.

**DONE** and **ORDERED** in Dayton, Ohio, this Eighth Day of October, 2013.

**s/Thomas M. Rose**

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record  
Earl Richardson at his last address of record